

REMARKS

This Amendment is submitted in response to the Office Action mailed on October 23, 2003. The Office Action rejects Claims 1-4, 7, 8, 19, 20, 24, and 26 under 35 U.S.C. § 102(b) and Claims 5 and 6 under 35 U.S.C. § 103(a). In this regard, the Patent Office states that Applicants' arguments are not persuasive in that although the reference may use an emulsifier as part of the encapsulation matrix, Applicants' claims do not preclude the use of an emulsifier in the matrix.

Of the pending claims, Claims 1 and 19 are independent. Each of these claims has been amended so that although a mixture of at least two acidulants may be provided, the encapsulating material consists essentially of polyvinylacetate. Therefore, this excludes *Cherukuri* as a § 102 or even § 103 reference as it teaches away from utilizing solely polyvinylacetate on a hydrophobic polymer as the encapsulating material. This Amendment does not add new matter. Moreover, Applicants submit that this Amendment does not raise new issues and therefore Applicants respectfully request that it be entered. In view of the Amendment, Applicants respectfully request that the rejections be withdrawn and the above-identified patent application be passed to allowance.

For the foregoing reasons, Applicants respectfully request reconsideration of their patent application and earnestly solicit an early allowance of same.

Respectfully submitted,

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